

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 96 OF 2016

(DILIP SONUMAL KATARIYA...VS..STATE OF MAH., THR. PSO, PS BALAPUR, DIST. AKOLA)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 29, 2016.

CRI.APPLN.(APPP) NO. 243/2016.

Heard Shri S.I.Jagirdar, advocate for the complainant, Shri R.D.Wakode, advocate for the applicant and Shri S.S.Doifode, A.P.P. for the non-applicant.

For the reasons stated in the application, the intervener is permitted to assist the prosecution.

The application is allowed.

CRI.APPLN.(ABA) NO. 96/2016.

Heard learned advocates for the respective parties.

The applicant is seeking pre-arrest bail in the crime registered against him for the offence punishable under Section 306 r/w 34 of the Indian Penal Code.

The accusations against the applicant are that he has pressurized the deceased who was also running cable

network, because of which the deceased has committed suicide.

The connected Criminal Application (ABA) No. 87 of 2016 filed by the co-accused has been decided today and the co-accused are granted pre-arrest bail. Common arguments are made by the learned A.P.P. in both the applications. The only distinction is that the present applicant is running cable business and other co-accused, who are applicants in A.B.A. No. 87 of 2016, are employees of the present applicant.

However, considering the nature of the allegations, I am satisfied that the applicant is also entitled for pre-arrest bail.

Hence, the following order :

- i) In the event of arrest in Crime No. 31 of 2016, registered by the non-applicant, the applicant shall be released on bail on furnishing P.R. Bond for Rs.Fifty Thousand and two solvent sureties in the like amount.
- ii) The applicant shall forthwith surrender his passport to the Investigating Officer. If the Passport Authority has not issued passport in favour of the applicant an affidavit to that effect shall be filed before the Investigating Officer within three days.
- iii) The applicant shall not enter Balapur town until further orders.

- iv) On filing of the charge-sheet, the applicant shall attend every date of sessions trial unless exempted by the Sessions Court. In case, the applicant fails to attend any date of the sessions trial without seeking exemption from the Sessions Court, this order shall stand recalled.

The application is allowed in the above terms.

JUDGE

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